

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA :
: CASE NO. 2:13-CR-270
VS. : JUDGE FROST
: JUDGE FROST
JERMONTE M. FLETCHTER, ET AL :

**CONSOLIDATED RESPONSE OF THE UNITED STATES TO
DEFENDANT DISCOVERY MOTIONS**

The United States of America hereby responds, as follows, in a consolidated fashion, to the various discovery motions filed in this case. The government acknowledges the rights of defendants to discovery and inspection of information within the purview of Rule 16 of the Federal Rules of Criminal Procedure. Copies of items which can reasonably be reproduced have been provided to the defendants.

To date, the discovery consists of documents related to the court authorized electronic surveillance conducted in this investigation, copies of the telephone calls which were intercepted as part of that wiretap, records related to pen register/trap and trace installations, state search warrants, tax records, individual statements, etc. The government intends to use all of this evidence at trial as well as the testimony of the custodian of records, experts who prepared the reports, agents involved in the investigations and witnesses to events in question.

At present, the United States does not intend to introduce any Rule 404(b) evidence at trial concerning any of the defendants charged in this case. If Rule 404(b) evidence becomes relevant during the course of a trial, counsel for the United States will notify the Court and the defense counsel before attempting to introduce that evidence during that trial. This will allow counsel the

opportunity to state any objections they may have to such evidence before it is presented to the jury.

The United States is also not aware of exculpatory evidence in this case. However, counsel for the Government's is mindful of his duty under Brady v. Maryland, 373 U.S. 83 (1963) and if necessary, counsel will permit defendant to inspect any evidence which may be considered exculpatory, at the time of trial.

The government acknowledges its continuing duty to afford additional discovery if and when further discoverable evidence is developed or becomes available to the government.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Response was served this 24th day of February, 2014 on all counsel of record.

s/David M. DeVillers
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